



DEPARTMENT OF THE NAVY  
OFFICE OF THE CHIEF OF NAVAL OPERATIONS  
2000 NAVY PENTAGON  
WASHINGTON, D.C. 20350-2000

MEMORANDUM FOR THE RECORD

Subj: DECISION MEMORANDUM ICO ENLISTED RETENTION BOARD (ERB)  
POLICY GUIDANCE

1. This guidance is provided in response to fleet inquiries regarding how to apply existing policies to ERB non-retained Sailors.

2. Separation prior to 1 September 2012:

a. If a policy requiring separation prior to 1 September 2012 is non-punitive in nature (e.g., High Year Tenure), then the Sailor shall separate at the earlier date. The Sailor shall be entitled to the same benefits previously conferred for the specific separation and shall continue to be entitled to enhanced ERB transition benefits up to the date of separation.

b. If a policy requiring separation prior to 1 September 2012 is the result of misconduct or failure to comply with established requirements (e.g., drug abuse, PFA failures, etc.), then the Sailor shall separate at the earlier date. The Sailor forfeits their entitlement to enhanced ERB transition benefits and shall be separated with the benefits that they would have been entitled to had they not been an ERB non-retained Sailor.

c. E6 and E7 Sailors with EAOS in FY-12 were considered by the ERB. If a non-retained Sailor's EAOS is before 1 September 2012, then the EAOS shall take precedence when determining separation timing. Sailors shall continue to be entitled to enhanced ERB transition benefits up to the date of separation.

3. Separation beyond 1 September 2012:

a. The following are the only reasons an ERB non-retained Sailor may remain on active duty beyond the mandatory ERB separation date:

- i. Operational waiver approved by Commander, Navy Personnel Command.

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- ii. Involuntary extension due to criminal proceedings (or other similar legal hold as described in MILPERSMAN 1160-050).
- iii. Extension for medical care required as a result of disease or injury incident to service and not due to their own misconduct.
- iv. Extension to accommodate Physical Evaluation Board (PEB) proceeding.

b. If a legal or medical hold, as described in paragraph 3.a, mandates extension on active duty beyond 1 September 2012, then a waiver to remain on active duty beyond that date is not required. However, commands must notify PERS-832 immediately upon learning that a non-retained Sailor will be required to remain on active duty beyond that date.

c. If an ERB non-retained Sailor is ultimately recommended for retention upon resolution of a legal or medical hold, then the ERB result shall take precedence and the Sailor shall be separated by 1 September 2012. If the Sailor has been extended beyond that date, then the Sailor shall be separated as soon as practicable once all ERB transition policies have been satisfied.

#### 4. Retroactive Advancement in Advancement Cycle 212.

a. Policy established in NAVADMIN 336/07 allows E3/4/5 Sailors with boots-on-ground in qualifying areas to miss advancement exams.

- i. Upon return to CONUS, they take the next regularly scheduled exam, and their standard score from that exam is used to create a retroactive final multiple score (FMS) for the cycle(s) missed.
- ii. If the retroactive FMS is higher than the advancement cutoff FMS for the missed cycle, then the Sailor is retroactively advanced.

b. Sailors on IA/GSA (or otherwise deployed with boots-on-ground) to qualifying geographic areas routinely miss advancement exams as a matter of policy. ERB non-retained Sailors who missed the September 2011 exam shall have the same

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opportunity to advance and have their ERB results vacated as every other ERB non-retained Sailor.

c. To satisfy the intent of this policy, ERB non-retained Sailors may participate in the March 2012 advancement exams for the sole purpose of applying their exam standard score retroactively to any exam cycles missed. This exam score shall not establish eligibility for advancement in any advancement cycle after Cycle 212.


5. Limited Duty Officer (LDO) and Chief Warrant Officer (CWO) candidates.

a. Deadline for submission of application for the FY-13 LDO/CWO board was 1 October 2011, prior to release of ERB results.

b. Policy for Cycle 212 E4/5/6 candidates was to vacate ERB results if selected for advancement, because exams had already been taken prior to release of ERB results. Since the situations are analogous, candidates will be permitted to compete for commission as LDO/CWO. ERB results will be held in abeyance for Sailors selected for commissioning by this board until two years after selection. If a Sailor reverts to enlisted status at any point during this timeframe, then ERB results become effective and the Sailor will be separated as soon as practicable once all ERB transition policies have been satisfied.

6. ERB non-retained Sailors are not eligible for future active duty advancement or commissioning that is not a result of action completed prior to ERB notification, with the exception of paragraph 4.c above.

7. This guidance serves to reinforce policies already in existence. Questions regarding policy guidance as applied to ERB that have not been addressed by this memorandum or by the NPC ERB website should be directed to OPNAV (N132) via email at nxag\_n132c@navy.mil.

  
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